

## Message Text

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FM AMEMBASSY TEHRAN  
TO SECSTATE WASHDC 7713

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E.O. 11652: XGDS-4  
TAGS: PGOV SHUM IR  
SUBJ: IRANIAN JUDICIAL SYSTEM AND THE NEW LIBERALIZATION

SUMMARY: IN LENGTHY DISCUSSION WITH SENIOR JUDICIAL OFFICIAL, EMBOFF LEARNED THAT MINISTRY OF JUSTICE IS QUITE PLEASED WITH ITS NEW AND EXPANDED ROLE IN DEALING WITH DISSENTERS.

ACCORDING TO SOURCE, ALL THE REST OF TABRIZ DEMONSTRATORS ARE CURRENTLY SCHEDULED FOR CIVILIAN COURT TRIAL. END SUMMARY.

1. SENIOR JUDICIAL OFFICIAL IN MINISTRY OF JUSTICE OUTLINED TO EMBOFF APRIL 4 HIS MINISTRY'S PLEASURE AT THE DIRECTION IRAN'S NEW LIBERALIZATION HAS TAKEN WITH RESPECT TO THE COURTS. THE CURRENT TRIAL OF 16 UNIVERSITY OF TEHRAN POLITICAL SCIENCE STUDENTS HAS BEEN A REAL EYE OPENER TO BOTH PROSECUTORS AND JUDGES. THE STUDENTS WHO ARE REPRESENTED BY 42 LAWYERS HAVE COME TO ACCEPT THE COURT'S AUTHORITY AND, ACCORDING TO A SENIOR JUDGE ON THE CASE, "SEEMED TO HAVE LEARNED SOMETHING ABOUT PROPER BEHAVIOR".

2. MINJUSTICE SOURCE ALSO SAID ALL TRIALS OF THOSE ARRESTED FOR DISTURBANCES HAVE BEEN AND WILL BE OPEN TO THE PUBLIC. IT HAS BEEN CLEAR FROM REACTION OF DEFENDANTS THAT TRIAL IN CIVILIAN COURTS IS MUCH MORE LIKELY TO TURN THEM INTO USEFUL CITIZENS THAN INCARCERATION

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AND TRIAL IN MILITARY COURT. IN SHORT, THERE IS LITTLE BACKLASH FROM CIVILIAN COURT TRIALS THAT WOULD TURN STUDENTS INTO "LIFE-LONG TERRORISTS".

3. MINISTRY SOURCE INDICATED THAT OF THOSE BROUGHT TO TRIAL ABOUT A THIRD HAVE BEEN ACQUITTED AND MANY OF REST HAVE RECEIVED SUSPENDED SENTENCES. ONLY THOSE WHO HAD

PAST RECORD OF TERRORISM OR CIVIL DISTURBANCE ACTIVITIES  
WERE AT PRESENT GETTING JAIL SENTENCES.

4. THIS REINVIGORATED ROLE FOR THE MINISTRY OF JUSTICE  
HAS PUT SOME PRESSURE ON ALREADY INADEQUATE STAFFING. TO  
BEGIN ALLEVIATING THIS PROBLEM, MINISTRY HOPES TO OPEN  
ITS POST GRADUATE COLLEGE OF LAW STUDIES IN ISFAHAN SOME-  
TIME DURING THE CURRENT YEAR.

5. EMBASSY COMMENT: SOURCE'S REACTION TO EVENTS OF PAST  
3-4 MONTHS CONFIRMS VIEWS WE HAVE HEARD FROM LOW LEVEL  
JUDICIAL OFFICIALS THAT LEGAL OFFICIALS ARE VERY PLEASED  
WITH REINVIGORATED ROLE OF CIVILIAN COURTS. WE WOULD HOPE  
THOSE ORGANIZATIONS INTERESTED IN ROLE OF LAW AND HUMAN  
RIGHTS WILL BE FINDING THIS OUT FOR THEMSELVES OVER COMING MONTHS.

6. MINJUSTICE SOURCE ALSO SAID THAT CASE AGAINST ARTIST ASHUR  
BANIPAL BABILA (TEHRAN 3027) HAD BEEN DROPPED.  
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